



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

SEP 27 2001

RECEIVED

In re the Application of **L on W.M.M. T rstappen et al.**

Application No. 09/801,471

Attorney Docket No. 1477-P01821US2

Filed: March 8, 2001

For: LABELED CELLS FOR USE AS AN INTERNAL
FUNCTIONAL CONTROL IN RARE CELL DETECTION
ASSAYS

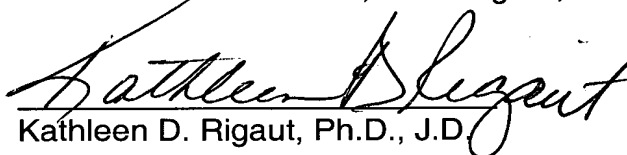
Examiner: Not Yet Assigned

Group Art Unit: 1642

CERTIFICATE OF MAILING UNDER 37 C.F.R § 1.8(a)

I hereby certify that this Correspondence is being deposited on September 20, 2001 with the United States Postal Service as first-class mail in an envelope properly addressed to ASST. COMMISSIONER FOR PATENTS, Washington, D.C. 20231.

September 20, 2001
Date of Certificate


Kathleen D. Rigaut, Ph.D., J.D.

Asst. Commissioner for Patents
Washington, D.C. 20231


INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants are submitting herewith a Form PTO-1449 and a copy of the references listed thereon. This Information Disclosure Statement is being filed more than three months after the filing date of the application. However, Applicants have not yet received an action on the merits of the application. Accordingly, Applicants believe that no fee is required pursuant to 37 C.F.R. § 1.97 (b) (3). In the event a fee is required, the Commissioner is authorized to charge the required fees to deposit account no. 04-1406. A duplicate copy of this sheet is included for fee processing, if necessary.

Applicants respectfully request full and proper consideration of the listed information during examination of the application, and that the listed information be printed on any patent that issues therefrom.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN
A Professional Corporation
Attorneys for Applicant(s)

By 
Kathleen D. Rigaut, Ph.D., J.D.
PTO Registration No. 43,947

Telephone: (215) 563-4100

Facsimile: (215) 563-4044

Enclosures - Form PTO-1449

Copies of references listed on PTO - 1449

INFORMATION DISCLOSURE STATEMENT

SHEET 1 OF 2

Complete if known

Application Number: 09/801,471

Filing Date: March 8, 2001

First Named Inventor: Terstappen et al.

Group Art Unit: 1642

Examiner Name: Not Yet Assigned

Attorney Docket Number: 1477-PO1821US2

TECH CENTER 1600/2900

SEP 27 2001

RECEIVED

UNITED STATES PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
KAL	A1	4,795,698	01/03/1989	Owen et al.
	A2	5,059,518	10/22/1991	Kortright et al.
	A3	5,187,099	02/16/1993	Healy, Jr. et al.
	A4	5,342,754	08/30/1994	Maples et al.
	A5	5,432,089	07/11/1995	Ryan et al.
	A6	5,529,933	06/25/1996	Young et al.
	A7	5,597,531	01/28/1997	Liberti et al.
	A8	5,610,022	03/11/1997	Battifora
	A9	5,698,271	12/16/1997	Liberti et al.
	A10	5,763,204	06/09/1998	Maples et al.
	A11	5,888,823	03/30/1999	Matsumoto et al.
	A12	5,968,831	10/19/1999	Shukla et al.
	A13	5,981,282	11/09/1999	Ryan
	A14	5,985,153	11/16/1999	Dolan et al.

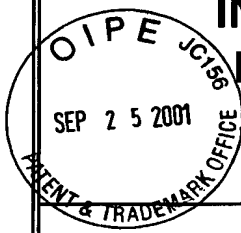
FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT
KAL	B1	0 469 766 B1	EP	12/06/1995	Becton Dickinson and Company
KAL	B2	01259261 A [Abstract]	JP	10/16/1989	Toa Medical Electronics Co., Ltd.
KAL	B3	WO 98/43067	WO	10/01/1998	Immunivest Corporation

EXAMINER'S SIGNATURE	Karen J. Ganella	DATE CONSIDERED	6/23/02
----------------------	------------------	-----------------	---------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT



SHEET 2 OF 2

Complete if known

Application Number: 09/801,471

Filing Date: March 8, 2001

First Named Inventor: Terstappen et al.

Group Art Unit: 1642

Examiner Name: Not Yet Assigned

Attorney Docket Number: 1477-PO1821US2

TECH CENTER 1600/2900

SEP 27 2001

RECEIVED

OTHER PRIOR ART - NON-PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
KAL	C1	GOMELLA, L.G. et al., "Reverse Transcriptase Polymerase Chain Reaction for Prostate Specific Antigen in the Management of Prostate Cancer"; The Journal of Urology, 158: 326-337 (1997) [Abstract]
	C2	TERSTAPPEN, L.W.M.M., "Detection of Infrequent Cells in Blood and Bone Marrow by Flow Cytometry"; Hematopoietic Stem Cell Transplantation, 137-152 (2000)
	C3	SHAPIRO, H.M., "Practical Flow Cytometry"; Parameters and Probes, 302-307 (1994)
	C4	LOWDELL, M.W. et al., "Quality Control in Clinical Flow Cytometry"; Flow Cytometry, (2) 45-66 (1994)
	C5	SCHWARTZ, A., "Standardizing Flow Cytometry: A Classification System of Fluorescence Standards Used for Flow Cytometry"; Cytometry, 33: 106-114 (1998)
	C6	STELZER, G.T. et al., "U.S.-Canadian Consensus Recommendations on the Immunophenotypic Analysis of Hematologic Neoplasia by Flow Cytometry: Standardization and Validation of Laboratory Procedures"; Cytometry (Communications in Clinical Cytometry), 30: 214-230 (1997)
	C7	HAMER, F.M., "The Cyanine Dyes and Related Compounds"; The Chemistry of Heterocyclic Compounds, (IV): 86-115 (1964)
	C8	KEENEY, M. et al., "Isotype Controls in the Analysis of Lymphocytes and CD34+ Stem and Progenitor Cells by Flow Cytometry--Time to Let Go!"; Cytometry (Communications in Clinical Cytometry) 34: 280-283 (1998)
	C9	STEWART, C.C. et al., "Quantitation of Cell Concentration Using the Flow Cytometer"; Cytometry, 2(4): 238-243 (1982)

EXAMINER'S SIGNATURE	<i>Karen A. Canella</i>	DATE CONSIDERED	6/23/02
----------------------	-------------------------	-----------------	---------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw a line through citation if citation not in conformance and reference not considered. Include a copy of this form with next communication to applicant.